

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MONA DOBRICH and :
MARCO DOBRICH, individually :
and as parents and next :
friend of ALEXANDER DOBRICH, :
JANE DOE and JOHN DOE, :
individually and as parents :
and next friend of JORDAN DOE :
and JAMIE DOE, :
: :
Plaintiffs, :
: :
v. : Civil Action No. 05-120-JJF
: :
HARVEY L. WALLS, MARK A. :
ISAACS, JOHN M. EVANS, :
RICHARD H. COHEE, GREGORY A. :
HASTINGS, NINA LOU BUNTING, :
CHARLES M. BIRELEY, DONALD G. :
HATTIER, REGINALD L. HELMS, :
M. ELAINE McCABE, individually: :
and as members of the Indian :
River School Board, LOIS M. :
HOBBS, individually and as :
District Superintendent, :
EARL J. SAVAGE, individually :
and as Assistant District :
Superintendent, THE INDIAN :
RIVER SCHOOL BOARD and THE :
INDIAN RIVER SCHOOL DISTRICT, :
: :
Defendants. :

O R D E R

At Wilmington, this 2 day of August 2005, for the reasons
set forth in the Opinion issued this date;

IT IS HEREBY ORDERED that:

1. The Motion To Dismiss All Claims Against Him In His

Individual Capacity (D.I. 7) filed by Defendant Reginald L. Helms is GRANTED.

2. The Motion To Dismiss On Behalf Of Defendants Walls, Isaacs, Evans, Cohee, Hastings, Bunting, Bireley, Hattier, McCabe, Hobbs, Savage And The Indian River School Board And Indian River School District (D.I. 32) is GRANTED as to Defendants Walls, Isaacs, Evans, Cohee, Hasting, Bunting, Bireley, Hattier, McCabe, Hobbs and Savage in their individual capacities and DENIED as to the remaining Defendants as it pertains to Defendants' argument based on the statute of limitations.

3. The Motion To Dismiss On Behalf Of Defendants Walls, Isaacs, Evans, Cohee, Hastings, Bunting, Bireley, Hattier, McCabe, Hobbs, Savage And The Indian River School Board And Indian River School District (D.I. 32) based on the lack of Plaintiffs' standing is GRANTED as to (i) the claims for prospective damages and declaratory and injunctive relief by the Dobrich Plaintiffs, with the exception of the claim of Marco Dobrich set forth below, and (ii) the claims by the Doe Plaintiffs that are based upon allegations of events for which they were not present, and DENIED as to (i) the Dobrich Plaintiffs claims for past damages against the School Board and the Indian River School District, (ii) the claim of Marco Dobrich for damages, declaratory and injunctive relief against the School

Board and the Indian River School District based upon prayer at School Board Meetings, and (iii) the claims of the Doe Plaintiffs for damages, declaratory and injunctive relief to the extent that those claims are against the School Board and the Indian River School District and not based on events for which the Doe Plaintiffs were not present.


UNITED STATES DISTRICT JUDGE